

106TH CONGRESS
1ST SESSION

S. 1936

To authorize the Secretary of Agriculture to sell or exchange all or part of certain administrative sites and other National Forest System land in the State of Oregon and use the proceeds derived from the sale or exchange for National Forest System purposes.

IN THE SENATE OF THE UNITED STATES

NOVEMBER 16, 1999

Mr. WYDEN (for himself and Mr. SMITH of Oregon) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

A BILL

To authorize the Secretary of Agriculture to sell or exchange all or part of certain administrative sites and other National Forest System land in the State of Oregon and use the proceeds derived from the sale or exchange for National Forest System purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Bend Pine Nursery
5 Land Conveyance Act”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act:

1 (1) SECRETARY.—The term “Secretary” means
2 the Secretary of Agriculture.

3 (2) STATE.—The term “State” means the State
4 of Oregon.

5 **SEC. 3. SALE OR EXCHANGE OF ADMINISTRATIVE SITES.**

6 (a) IN GENERAL.—The Secretary may, under such
7 terms and conditions as the Secretary may prescribe, sell
8 or exchange any or all right, title, and interest of the
9 United States in and to the following National Forest Sys-
10 tem land and improvements:

11 (1) Bend Pine Nursery, comprising approxi-
12 mately 210 acres, as depicted on site plan map enti-
13 tled “Bend Pine Nursery Administrative Site”,
14 dated May 13, 1999.

15 (2) The Federal Government-owned facilities at
16 Shelter Cove Resort, as depicted on site plan map
17 entitled “Shelter Cove Resort”, dated November 3,
18 1997.

19 (3) Isolated parcels of National Forest System
20 land located in sec. 25, T. 20 S., R. 10 E., and secs.
21 16, 17, 20, and 21, T. 20 S., R. 11 E., Willamette
22 Meridian, as depicted on the map entitled “Isolated
23 Parcels, Deschutes National Forest”, dated 1988.

24 (4) Alsea Administrative Site, consisting of ap-
25 proximately 24 acres, as depicted on site plan map

1 entitled “Alsea Administrative Site”, dated May 14,
2 1999.

3 (5) Mapleton Administrative Site, consisting of
4 approximately 8 acres, as depicted on site plan map
5 entitled “Mapleton Administrative Site”, dated May
6 14, 1999.

7 (6) Springdale Administrative Site, consisting
8 of approximately 3.6 acres, as depicted on site plan
9 map entitled “Site Development Plan, Columbia
10 Gorge Ranger Station”, dated April 22, 1964.

11 (7) Dale Administrative Site, consisting of ap-
12 proximately 40 acres, as depicted on site plan map
13 entitled “Dale Administrative Site”, dated July 7,
14 1999.

15 (b) CONSIDERATION.—Consideration for a sale or ex-
16 change of land under subsection (a) may include the ac-
17 quisition of land, existing improvements, or improvements
18 constructed to the specifications of the Secretary.

19 (c) APPLICABLE LAW.—Except as otherwise provided
20 in this Act, any sale or exchange of National Forest Sys-
21 tem land under subsection (a) shall be subject to the laws
22 (including regulations) applicable to the conveyance and
23 acquisition of land for the National Forest System.

24 (d) CASH EQUALIZATION.—Notwithstanding any
25 other provision of law, the Secretary may accept a cash

1 equalization payment in excess of 25 percent of the value
2 of land exchanged under subsection (a).

3 (e) SOLICITATIONS OF OFFERS.—

4 (1) IN GENERAL.—Subject to paragraph (3),
5 the Secretary may solicit offers for sale or exchange
6 of land under this section on such terms and condi-
7 tions as the Secretary may prescribe.

8 (2) REJECTION OF OFFERS.—The Secretary
9 may reject any offer made under this section if the
10 Secretary determines that the offer is not adequate
11 or not in the public interest.

12 (3) RIGHT OF FIRST REFUSAL.—The Bend
13 Metro Parks and Recreation District or other units
14 of local government in Deschutes County, Oregon,
15 shall be given the right of first refusal to purchase
16 the Bend Pine Nursery described in subsection
17 (a)(1).

18 (f) REVOCATIONS.—

19 (1) IN GENERAL.—Any public land order with-
20 drawing land described in subsection (a) from all
21 forms of appropriation under the public land laws is
22 revoked with respect to any portion of the land con-
23 veyed by the Secretary under this section.

1 (2) EFFECTIVE DATE.—The effective date of
2 any revocation under paragraph (1) shall be the date
3 of the patent or deed conveying the land.

4 **SEC. 4. DISPOSITION OF FUNDS.**

5 (a) DEPOSIT OF PROCEEDS.—The Secretary shall de-
6 posit the proceeds of a sale or exchange under section 3(a)
7 in the fund established under Public Law 90–171 (16
8 U.S.C. 484a) (commonly known as the “Sisk Act”).

9 (b) USE OF PROCEEDS.—Funds deposited under sub-
10 section (a) shall be available to the Secretary, without fur-
11 ther Act of appropriation, for—

12 (1) the acquisition, construction, or improve-
13 ment of administrative facilities and associated land
14 in connection with the Deschutes National Forest;
15 and

16 (2) to the extent the funds are not necessary to
17 carry out paragraph (1), the acquisition of land and
18 interests in land in the State.

19 (c) ADMINISTRATION.—Subject to valid existing
20 rights, the Secretary shall manage any land acquired by
21 purchase or exchange under this Act in accordance with
22 the Act of March 1, 1911 (16 U.S.C. 480 et seq.) (com-
23 monly known as the “Weeks Act”) and other laws (includ-
24 ing regulations) pertaining to the National Forest System.

1 **SEC. 5. CONSTRUCTION OF NEW ADMINISTRATIVE FACILI-**
2 **TIES.**

3 The Secretary may acquire, construct, or improve ad-
4 ministrative facilities and associated land in connection
5 with the Deschutes National Forest System by using—

6 (1) funds made available under section 4(b);

7 and

8 (2) to the extent the funds are insufficient to
9 carry out the acquisition, construction, or improve-
10 ment, funds subsequently made available for the ac-
11 quisition, construction, or improvement.

12 **SEC. 6. AUTHORIZATION OF APPROPRIATION.**

13 There are authorized to be appropriated such sums
14 as are necessary to carry out this Act.

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